

SPEECHES
BY
MR. MULOCK,
IN THE
HOUSE OF COMMONS,
IN
THE SESSION OF 1894.

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1894.

SPEECH BY
MR. MULOCK
IN THE
HOUSE OF COMMONS
ON
THE 19th OF APRIL, 1894.

In support of his motion that persons examined as witnesses as to expenditure of public money should be examined under oath, etc.

HOUSE OF COMMONS,
THURSDAY, 19TH APRIL, 1894.
PUBLIC ACCOUNTS.

MR. MULOCK moved :

That, in accordance with the resolutions adopted unanimously by the House in the sessions of 1891 and 1892, it is desirable that any witnesses called before the Select Standing Committee on Public Accounts be examined under oath or affirmation touching any matters coming before them.

He said : Mr. Speaker, in making this motion, I may remind hon. members that it comes before the House now in consequence of the reports and actions of the Public Accounts Committee. In the session of 1891, the House itself passed a resolution in the words of that which is now in your hands. But the Public Accounts Committee, or some members of it rather, believing that it would be more courteous to the committee that the recommendation should come from the committee to the House, on this occasion I preferred to waive my own view as to the rights of the House, by first of all ascertaining whether the committee agreed in the course which I am now taking. Accordingly, Mr. Speaker, as you will observe, from reading the first report, I moved in the Public Accounts Committee to the effect of the motion now in your

hands, that it is desirable that witnesses before that committee should be examined under oath. Unfortunately, for the sake of that motion, the majority of the members of the Public Accounts Committee did not agree with the proposition, as appears by the report on the table. Accordingly, it becomes necessary now to ascertain whether a majority of the House favor that view. I may say, Sir, that the motion before the committee was met by many objections. One objection was that the Parliament of Canada had no jurisdiction to confer such a power upon a select standing committee. I do not know that that objection was taken with a great deal of confidence in its soundness on the part of the Minister of Railways, who first raised it, and other members of the Government. The next objection, I believe, was that raised by the hon. member for South Norfolk (Mr. Tisdale). His objection was that the Ontario Parliament did not recognize such a practice, and, although the hon. member for South Norfolk had never been able to discover anything else that was good in the record of the Ontario Government, he was able to recognize this one virtue—that they refused to allow examination on oath regarding the expenditure of public money.

SIR CHARLES HIBBERT TUPPER. May I ask to what occasion the hon. gentlemen refers?

MR. MULOCK. The first meeting of the Public Accounts Committee when the subject was discussed.

SIR CHARLES HIBBERT TUPPER. I think, Mr. Speaker, this is not in order, and that it would be an inconvenient mode of discussing this question. I do not think it is in order to refer to the discussions in the Public Accounts Committee. There may be different views as to what was said, and that may embarrass the discussion.

MR. MULOCK. I think that, when the report of any committee is under discussion, anything that came before the committee respecting the subject of that report, is in order.

SIR CHARLES HIBBERT TUPPER. The point I raise, Mr. Speaker, is that it is out of order to refer to what was said during the discussion in the Committee on Public Accounts.

MR. MULOCK. I suppose the hon. gentleman would wish that what he said, and the points he took upon that occasion, which have thus far prevented this resolution being adopted, should not be known to the public.

SIR CHARLES HIBBERT TUPPER. On the contrary, I will repeat them to-day.

MR. MULOCK. If the hon. gentleman repeats them to-day, there can be no disadvantage in my anticipating them. At any rate, I do not wish to delay the proceedings of the House, or the consideration of this question by bringing in any controversial matters, because the question is sufficiently broad and substantial to entitle it to the support of the House, without bringing in any other question. But I was saying that objections have been raised to the passing of this measure. One is that the Parliament of Canada has no jurisdiction. Another is that the Ontario Government would not allow this course to be taken, and, because of its wickedness in that respect, it received, for once, the support

of the hon. member for South Norfolk. That was the only point in its record that he could find to entitle it to any consideration from him. Another objection taken by a gentleman who prefers to be governed by a law four or five hundred years old—the Minister of Public Works—was that, though there was jurisdiction to examine witnesses under oath, Parliament must know the names of the witnesses, and must consider, in every case, whether these witnessss shall or shall not be thus examined. Another objection, taken by the Minister of Marine and Fisheries, is that this motion shall not be passed at all, but if there is any case sought to be made, it must, first of all, pass through the crucial test of the Public Accounts Committee, which must make the recommendation to this House to sanction further enquiry, and then this House shall proceed to consider the question. The last of the objections was that taken by the Minister of Finance, that the Public Accounts Committee is nothing but a committee of audit. That is the tenor of the argument of the hon. Minister of Finance. These are the various objections, so far as they have been given to the public; but, singular to say, though the objections were cut away one by one, the hon. gentlemen, who had severally brought them forward, were still able to agree with the majority, for unknown reasons, in preventing inquiry. The first question is that of jurisdiction. Upon that point to-day there is no possible doubt. It is true that, by the British North America Act, there was no jurisdiction such as is sought to be exercised to-day. That was remedied by an Imperial Act passed in the session of 1875. I may say that the question came up out of the consideration of an Act passed by this Parliament in 1873, which Act I now quote, chapter 1, Statutes of 1873, and the first section of which reads as follows:—

Whenever any witness or witnesses is or are to be examined by any committee of the Senate or House of Commons, and the Senate or House of Commons shall have resolved that it is desirable that such witness or witnesses shall be examined upon oath, such witness or witnesses shall be examined on oath or affirmation, when affirmation is allowed by law—

And the Act prescribes penalties. Now, that Act was passed in order to meet the case of a contemplated inquiry into the Pacific Scandal. It was disallowed by the Imperial authorities on the ground that it exceeded the then jurisdiction of the Parliament of Canada. But subsequently the Imperial Parliament, in the session of 1875, passed an enabling Act, repealing our old section 18 of the British North America Act, and passed another Act giving full authority to the Parliament of Canada to delegate such powers, as are here sought for, to any of the committees of the House. The Parliament of Canada, in the exercise of the power so conferred on it, proceeded to legislate in that direction, and you will find the law on the subject in the Revised Statutes of Canada, chapter 11, section 21. This section is verbatim a copy of the words used in the Statutes of 1873, which were adopted in anticipation of a threatened inquiry. We must assume that the gentlemen who took part in the framing of that Act intended it to apply to the examination of witnesses whose names were not known at

the time. They must certainly have contemplated making it effective; and, therefore, even upon that ground alone, I think that it is fair to assume that the objection taken that the witnesses must be known is wholly untenable and contrary to the spirit of this section. I need not remind hon. gentlemen who voted against this motion in the committee that if any of them voted against it upon the understanding that the Ontario Legislature did not authorize such an inquiry under oath, my reading to them of the law of the land, as passed in the Ontario Legislature, showing that they were laboring under a mistake, may possibly cause them to change their views. The Legislature of Ontario, in 1872, Revised Statutes, chapter 5, passed the following Act:—

Any standing or select committee of the Legislative Assembly may require that facts, matters, and things, relating to the subject of inquiry—be verified or otherwise ascertained by the oral examination of witnesses, and may examine such witnesses upon oath, and for that purpose the Chairman or any member of such committee may administer the oath to any such witness.

That became the law in the Province of Ontario in 1872. And I am told by the Treasurer of Ontario that, without exception, it has been their invariable practice to allow the members of the Select Standing Committee on Public Accounts in Ontario to examine witnesses on oath whenever and as often as they please. For twenty years that has been the law, and I would ask the hon. member for South Norfolk (Mr. Tisdale), who has been defending the Government because he thought there was no such law in Ontario, where he has been all this time. And I am told that such is the law also in the Province of Quebec, but of that I only speak from hearsay. But we are told that the language of this statute does not contemplate the giving of general power by the House to a committee to examine witnesses, but that the committee must send to the House the names of witnesses, or that some case must be made out, before the House will at all stir in the matter. *Now, it is very singular that that discovery should only be made now.* What has been the view taken of the law since it has existed? We have had in this House, from time to time, the most eminent lawyers that Canada has ever known. Some of them still enjoy the professional confidence of the community, others are filling high judicial offices in the land, and from year to year both the Senate and this House have constantly evoked the power of the Act now in force. Sir, never on one occasion do I find, from the examination of the records in the Senate and in this House, that either one of these Houses asked for the names of witnesses before giving a committee authority to examine generally. On the contrary, I find that the practice of both Houses, acquiesced in by common consent, has established, as the interpretation of this Act, that the House can delegate to a committee the power to examine into all matters and to call for such witnesses as they may please, and examine them under oath or affirmation, where affirmation is allowed in lieu of oath. *And I challenge any member of this House to show a single case in which names of witnesses have been submitted to the House or the Senate, in order to cause them to exercise the power conferred upon*

them by this Act. Just let me for a moment give to the House a few of the occasions on which the Senate and this House decided that they have the power to authorize committees to examine witnesses on oath. In 1877, the Senate passed a resolution appointing a committee to inquire into certain matters touching the length of the line of the Canadian Pacific Railway from Keewatin westward, in a more southerly line, and so on. And we find that the resolution authorizes the committee—I give the exact words :

To send for persons and papers and reports, and to examine witnesses under oath.

Not one single reference to the name of a witness, but a full power of attorney, to the committee to examine witnesses generally under oath. In the following session, the Senate, on the motion of Senator Girard, seconded by Mr. Reid, passed a resolution appointing a committee to inquire into certain matters regarding the approaches to the property at Fort William, and—

authorized the committee to send for persons, papers and records and examine witnesses under oath, and report thereon with all convenient speed.

Again, in the same session, on motion of Hon. Mr. Macpherson, seconded by Hon. Mr. Campbell, a resolution was passed appointing a select committee to inquire into certain matters connected with Fort Frances lock, and I quote the language of the resolution :

Authorizes the committee to examine witnesses under oath and to employ a shorthand writer.

In the following year, 1879, on motion of Hon. Mr. Macpherson, seconded by Hon. Mr. Allen, resolutions were adopted—all of which, I believe, were carried—authorizing a committee to inquire into certain matters respecting the surveys on the Canadian Pacific Railway, and the committee were authorized

To take evidence under oath and to report to this House from time to time.

Again, in the session of 1880, the senate passed a resolution, and this House confirmed it, appointing a committee to make the necessary inquiries into all the circumstances connected with the opening of tenders for parliamentary printing, the withdrawal of tenders and other matters connected with printing, and declares as follows :

And it is desirable that any witnesses who may appear before them in relation to the above inquiry shall be examined under oath.

Again, I remind the House that the Senate in the session of 1890, on the inquiry into the matter of the Baie des Chaleurs Railway, referred that subject to the Select Committee on Railways, Canals and Telegraph Lines, and in the following words authorized the committee to take evidence.

To send for such persons, papers and records as may from time to time be required by said committee for the purpose of reporting evidence under oath as to any matters arising out of the examination before said committee on the Bill from the House of Commons respecting Baie des Chaleurs Railway.

The Senate no longer than three years ago, authorized their committee to examine any person they chose to summon. I do not suppose the Senate had the faintest idea who the witnesses would be, yet the Senate thought they were properly interpreting the law, both when they passed that resolution and when they proceeded to carry it out. I now come to the decisions of this House. In 1877 this House directed an inquiry to be made into matters affecting the Northern Railway, and the resolution appointing the committee authorized it to examine witnesses on oath, as follows :

It is desirable that any witness to be examined by said committee, be examined under oath.

Again, in 1877, the House referred a matter respecting Hon. Mr Anglin to the Committee on Privileges and Elections, with power to take evidence, as follows :

It is desirable that any witness to be examined by the Select Standing Committee on Privileges and Elections on the matters which have been referred to this committee shall be examined upon oath.

Again, the House of Commons, in 1877, referred a matter respecting Mr. Norris to the Select Standing Committee on Privileges and Elections, empowering the committee to take evidence, as follows :

It is desirable that any witness to be examined by the Select Standing Committee of Privileges and Elections, to whom it has been referred to inquire and report on the allegations made against Mr. James Norris, shall be examined under oath.

Again, the House of Commons, in the same session appointed a committee to inquire into certain matters respecting Mr. Currier, and empowered the committee to examine witnesses under oath as follows :

It is desirable that any witness to be examined by the Select Standing Committee on Privileges and Elections, to whom has been referred this inquiry into matters concerning Mr. Currier, shall be examined under oath.

Again, in 1878, this House appointed a committee to inquire into certain matters touching the North-west, and passed a resolution in the following words :

It is desirable that any witness examined before the Select Standing Committee on Public Accounts in connection with the expenditure of public money by the purveyors of the Government in the North-west, shall be examined under oath.

Again, this House, in 1880, passed the joint resolution to which I have referred respecting printing, and in that resolution declared that in their opinion,

It is desirable that any witness or witnesses who may appear before the committee in relation to the above inquiry shall be examined under oath.

Again, in 1886, a charge was made against a prominent member of this House, at that time a legal gentleman of high standing - I refer to Mr. Hector Cameron—and that charge was referred to the Committee on Privileges and Elections, and the House on that occasion empowered the committee

To send for persons, papers and records, and examine witnesses upon oath or affirmation.

Again, in 1888, it will be remembered that combinations in regard to trusts had grown to enormous and injurious proportions, and accordingly in that session this House passed a resolution appointing a select standing committee to inquire into such combinations, and it empowered the committee to take evidence under oath,

With power to send for persons, papers and records, and with power to examine persons called before them on oath.

Again, in the session of 1889, this House appointed a committee to inquire into certain alleged frauds on farmers, and it authorized that committee to take evidence under oath, "with power to send for persons, papers and records, and examine under oath or affirmation, where affirmation is allowed by law, witnesses who may appear before the said committee." Again, in the session of 1890, grave charges were made against a former member of this House, Mr. Rykert. Those charges were referred to the Select Standing Committee on Privileges and Elections for investigation, and the committee were empowered to examine witnesses under oath or affirmation, where affirmation is allowed by law.

Sir JOHN THOMPSON. Can you give the date of that?

Mr. MULOCK. The resolution giving power to the Committee on Public Accounts, you will find on page 253 of the Journals of the House of Commons, and the date on which it was passed is the 25th of June, 1891. The words that I read a moment ago as supposed to apply to the Rykert case, are the words applicable to this resolution. The words that the House adopted on the occasion I am last quoting, namely, the reference to the Public Accounts Committee, are as follows :

That it is desirable that any witness called before the Select Standing Committee on Public Accounts be examined under oath or affirmation, touching any matters coming before them.

Again, Mr. Speaker, in the session of 1891, the country and the House were convulsed with charges made in regard to certain misappropriations of public money, and other high crimes, I may call them against the liberties of the people. I refer to the charges which culminated in the McGreevy-Connolly inquiry. These charges were referred to the Select Committee on Privileges and Elections, with power to examine

witnesses under oath, and the words used, which certainly seemed sufficiently effective on that occasion, were :

The committee was clothed with power to send for persons, papers and records and to examine witnesses upon oath or affirmation.

I need not remind the House how that power was exercised. Day after day new witnesses were brought in, whose names were never dreamt of at the time the resolution was passed. Throughout the whole series of cases to which I have referred, in no one instance has this House expressed any opinion as to who should or who should not be examined. The House left it entirely at the discretion of the committee to use that power as it, in its judgment, saw best, in harmony of course, with the law. But, Sir, the Minister of Finance has now taken this extraordinary position : He contends that the committee is practically nothing but an auditing committee. I presume that the duties of this committee are analogous to those of the Standing Committee on Public Accounts in the Imperial House of Commons, and if they are, on reference to the last edition of May's "Parliamentary Practice," page 563, you will find that the Public Accounts Committee in England possesses more power than auditing power. This is what May says :

The functions of this committee are to ascertain that the parliamentary grants for each financial year, including supplementary grants, have been applied to the objects for which parliament ascribed them.

Now, here is where May and the Minister of Finance will agree :

And to recheck the official audit, created by the Exchequer Audit Department Act.

And May then proceeds :

The committee also scrutinizes the causes which led to any excess over parliamentary grants and the application of savings, and the grant made to the naval and military departments.

Now, Mr. Speaker, this matter came up for the consideration of this House of Commons in 1891 in a more formal way than I have perhaps yet referred to. On the 19th of August, 1891, the Minister of Finance moved the House into Supply, and the member for Oxford South (Sir Richard Cartwright) made a motion in amendment, and perhaps the resolution that he offered to the House, and the opinions which he expressed on it may appeal to the judgment of some hon. gentlemen on the other side. The resolution which was moved on that occasion by the hon. gentleman (Sir Richard Cartwright) was in the following words :—

It is the undoubted right of the Committee on Public Accounts to investigate all circumstances connected with the payment of any of the several sums of public moneys, referred to that committee,—

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Now, that is one proposition.

—and that in the course of such investigation no evidence should be refused on the ground that it may disclose improper conduct or relations on the part of a Minister of the Crown or of any other party in connection with such payment.

That in another proposition. Sir Richard Cartwright spoke as follows (page 4089, 'Hansard' of 1891) :—

Now, Sir, what I desire at present is to obtain from the House some definition or declaration of the extent of the powers and duties which that committee possesses. It is not my intention, Sir, to occupy any great portion of the time of the House, but rather to confine myself to stating briefly what I understand, for my part, after a considerable experience in the ways and working of that committee, to be its functions and its duties, and also to state briefly the reasons why I think that understanding should prevail. The House after consideration can then decide whether the motion which I propose to submit, clearly defines the functions of the committee. Now, Sir, according to my understanding of the case, in the first place, the Committee on Public Accounts is strictly and in terms a committee of investigation—an inquisitorial committee, if you choose to call it. That committee is bound from the nature of the case to ascertain whether the various sums of public money which this House p'aces at the disposal of the Government of the day are properly and honestly expended.

I call attention especially to those words because that doctrine was acquiesced in by the First Minister.

Sir, as a corollary and sequence to that, it is, in my judgment, no barrier or answer to any proceedings taken in that committee to say that the facts which may be brought out on examination in reference to any particular item so referred to a committee, touch or do not touch the conduct of any Minister of the Crown or any member of the House. In point of fact, according to my understanding of the duties of the committee, it is their special duty, as everybody knows it is the general duty of the House, to investigate the conduct of Ministers of the Crown, and to see in particular how public moneys are expended. But it is by delegation of the House, in a special sense, the duty of the members of the Public Accounts Committee to see that the public money is properly and honestly expended; and if, in the course of that investigation, questions should arise touching the conduct of any Minister of the Crown, so far from that being a barrier to investigation, it appears to me that it is rather a special reason why that committee should proceed with the investigation and make it, if possible, more thorough and searching. I do not at all desire to contend that the Committee on Public Accounts is bound to sit in judgment on conduct of members or on the conduct of Ministers. That is not the contention. What I do assert is that they are bound to find the facts, without fear or favor, and without reference to the circumstances, whether they may or may not in any way affect a Minister of the Crown or anybody else. Having found these facts, be they good or bad, it is their duty in my opinion, to report them to this House. Who, having those facts before them, may then take such action as to the House seems proper. * * *
* It appears to me that this has become, in a special sense, the correct interpretation of the duties and powers of that committee, since, upon the same principle, we have given the powers to the Auditor-General to which I have referred, who has taken off the shoulders of the committee the care of examin-

ing into the minute details of those comparatively formal inquiries, which, in other days, used to occupy a considerable portion of the time of the Committee on Public Accounts.

The hon. gentleman having so addressed the House, the resolution was submitted and the hon First Minister, then Minister of Justice, proceeded to discuss it. I will not quote the whole of his speech ; if I omit anything that is thought material, let some other hon. member quote it. On page 4091, Sir John Thompson is reported to have spoken as follows, in reference to the motion made by Sir Richard Cartwright :

Fortunately, the resolution of the hon. member for South Oxford (Sir Richard Cartwright) is not open to the objection that we require notice of it, because it affirms a principle which I cannot suppose it would be optional in any member in this House to deny. Now, the principle which the hon. member lays down can be best illustrated—and I beg to assure him that, in speaking thus upon it, I am advocating its passage, lest a doubt may have arisen in his mind as to the propriety of the course he asks the House to affirm—by the practice adopted by the House generally in regard to the Public Accounts Committee that, when the report of the Auditor General is laid on the Table of the House, it is referred to that committee for the purpose of investigation. Undoubtedly in regard to that reference, or in regard to any other reference that may be made to it, that committee is a committee of investigation.

A committee of investigation, without power to investigate. They shall have the undoubted right in the abstract, but the Government will take good care that that undoubted right shall be incapable of being exercised. The hon. First Minister went on to say :

From time to time, as occasion may require, or as circumstances may be shown to the House, other items, even though they refer to past expenditure, to years that have passed away, may be referred to the committee for the same purpose. No one can deny, and certainly on this side of the House we do not pretend to deny this afternoon, that, in the investigation of any reference made to the committee by this House, it is entirely proper for the committee to hear evidence which may be adduced, no matter what consequences may ensue to any member of this house.

Then, the hon. gentleman remarked that it matters not who is affected, and so on, and puts in a saving clause before the end that the inquiries must not be fishing inquiries ; that seems to be the only limitation. Well, Mr. Speaker, what became of this resolution, which the First Minister agreed to, saying that it was the undoubted right of the Committee on Public Accounts to investigate all circumstances connected with the payment of any sums of public money referred to that committee ? The House unanimously adopted that resolution. Public opinion at that time made it impossible for the Government to resist such a proposition, even if they had wished to do so, which I presume they did not at that time ; and what was the result of that action ? When the Committee on Public Accounts met, in the session of 1892,

was it necessary for the minority on that committee to do what the majority are trying to compel us to do to-day—to submit to the gagging that is sought to be put upon the committee?

MR. SPEAKER. Order.

MR. MULOCK. Is that not in order, Mr. Speaker? Then I will use some parliamentary term; I will say that in 1892 we were not obliged to demand power to make effective our duties as members of the committee. At that time, owing to an active public opinion, it was necessary only to remind the committee that they were an investigating committee, and the committee on that occasion unanimously passed a resolution recommending to this House that Parliament should give them power to examine witnesses under oath. On the 1st of April, 1892—I read the 'Journals of the House of Commons,' page 187:

Mr. Wallace, from the Select Standing Committee on Public Accounts, presented to the House the first report of the said committee, which was read as follows:—

Your committee recommend that whenever any witness or witnesses coming before them is or are to be examined, it is desirable that such witness or witnesses shall be examined upon oath.

On motion of Mr. Wallace, seconded by Mr. Roome, this report was adopted in the following words:—

That this House do concur in the first report of the Standing Committee on Public Accounts.

There, Sir, was the fruit of the order of the House. The House in 1891 declared that the committee was not a mere auditing committee, as the hon. minister of Finance pretends to-day, but a committee to make a substantial investigation; a committee not merely to pick up receipts and vouchers and look at the face of them, and see that the money was spent, *but charged with the higher duty and the greater responsibility* of ascertaining whether the moneys voted by the people's representatives had been honestly and wisely expended; and I would like to know how any such committee can discharge its duties if it is prevented from getting evidence other than that supplied by the documents themselves. *Suppose that a man having a large estate went away*, leaving his steward in charge, and placing with him a large sum of money, with directions to spend so much on buildings, so much on roads and so much on canals. Suppose he came back and said to the steward, "Render me an account"; and the steward handed to him his receipts, saying, I "I spent all that, and there are the accounts and receipts." Suppose the owner of the estate said to him. "You have constructed a canal from my premises to your own property, I want to know more than the amount of the expenditure; I want to know wherein I am benefited by that expenditure." If it were a public building would he not say: "I want to see whether the money was expended judiciously, not merely whether you spent so much money;

I want to see that you had proper contracts and skilled workmen, that the men you employed lived up to the specifications, and that good, honest materials were put into the building; all these things are necessary before I can say, "Well done, good and faithful steward." Are we not bound in the same way to investigate the wisdom and propriety of the expenditure of public money made by the people's representatives? When we have told the country that vast sums of money have been wasted here and there, is not the country entitled to know something more than that the money is lost? It is all very well to say that the receipts are there showing that the moneys have been expended; but if the expenditure has been made unwisely, the country is entitled to know it, in order that it may withdraw the confidence it reposes in its stewards. And if the money has not been unwisely expended, who is going to be hurt? Would it not be rather to the credit of those entrusted with the expenditure to have it made clear that the money has been wisely expended? Take any transaction. Take the thing known in the public mind as the Curran bridge. Does the hon. gentleman say that it is not due to the country that there should be an examination under oath into the expenditure on that enterprise? And yet we are told that the Public Accounts Committee has done all that is required when they see the receipts showing that the money is irretrievably lost. Take item after item of the public accounts, and the mere voucher that the money has gone is no adequate information as to how the money was spent. *The Committee on Public Accounts stand between the people and the Government*, and it is the duty of the Government to strengthen the hands of the committee in order that their investigation should be thorough. You cannot find any precedent in Great Britain for the conduct of the majority of our committee. In 1871, the Imperial Parliament clothed its standing committees with certain powers. They are not hemmed in, as we are, by an Act which says that on each and every occasion the House must be asked to give this power. But the Imperial Act clothed every committee with full power to examine witnesses. If you refer to the Imperial Act of 1871, chapter 83, entitled "An Act to enable the House of Commons, and any committee thereof, to administer the oath to witnesses," you find:

The House of Commons may administer the oath to witnesses at the bar of the said house. Any committee of the House of Commons may administer the oath to witnesses examined before such committee.

A committee of the Imperial House does not require the special authority of the House, or the consent of the majority of the committee to administer the oath. The thing has not to be thrashed out from day to day and to encounter all the ingenious methods of delay within the reach of the Government.

BUT THE MOMENT A MATTER IS BEFORE A COMMITTEE IN ENGLAND

—although, as a matter of courtesy, they may, perhaps, ask whether they shall or shall not make inquiries under oath—any member of that

committee can, as a matter of legal right, demand that the witness be sworn. I have told you, Sir, the practice in Ontario. We are told what the law is in the Province of Quebec. Why, then, should this House impose a practice here that is thwarting a fair investigation of public affairs, and is, at all events, an instrument to prevent a thorough investigation? Why, if the Government have no substantial objection, should they not be the first to say:

LET THERE BE LIGHT, AND LET ALL THESE MATTERS APPEAR UNDER THE
NOON-DAY SUN?

Take the experience of a couple of sessions ago—if the oath had not been then applied as a search light upon doings that did not appear in the vouchers and receipts, where would we have been? Take the records of the Public Accounts Committee of 1892, and what do you find? Day after day the chairman of that committee had to appear before this House, and present the report of the Public Accounts Committee. And what was that report? It was the disclosures, under oath, of certain persons, compelled to make known of how they had been guilty of breaches of trust, and maladministration. From day to day, the House and the country were shocked by disclosures of that kind, such as never before disgraced our country, and I hope never will again. But if the Government desire to stand well before the country, if they desire to have their fair fame preserved, they will be the first on this occasion to support this resolution and make the Public Accounts Committee that instrument which Parliament, in 1891, said it ought to be—an instrument qualified to control and perfectly investigate all expenditures of public money. I need not take up the time of the House further. I am perfectly satisfied.

THERE IS NOT A CITIZEN OF CANADA WHO DOES NOT,

in his heart, believe that every possible means of investigating these facts should be placed within the reach of the people's representatives. And we are now face to face with this issue, and upon this vote the country will decide whether the Public Accounts Committee is to be stifled, or whether it is to take full power and be effective. And if the Government use their power and influence in this House to induce their supporters to vote down a proposition like this, they will have practically destroyed the usefulness of the Public Accounts Committee. The Minister of Finance says that before an investigation can take place, we must establish a *prima facie* case, we must satisfy him, we must satisfy his majority. I take these words out of a newspaper, this morning, which are said to be those used by the Minister of Finance:

He stated before the Public Accounts Committee in order to induce them not to allow the examination upon oath —

I am reading from the *Toronto Globe*.
SOME HON. MEMBERS. Oh! oh!

Mr. MULOCK. I suppose it may be true, if it appears there. The hon. member for East Toronto (Mr. Coatsworth) seems to question the accuracy of anything that appears in the *Toronto Globe*. The *Toronto Globe*, perhaps, may have given him some attention. The Minister of Railways (Mr. Haggart), if I understand him correctly, says this is an ingenious way to present the case. I think myself that hon. gentleman ought to be found aiding in the presentation of this case.

Mr. HAGGART. Did you refer to me as having made an ingenious statement?

Mr. MULOCK. No, I did not. The report in the *Globe* goes on to say:

We ought not to ask the House for power to put witnesses on oath unless some members of the committee —

Mr. SPEAKER. The hon. gentleman cannot discuss here anything that has occurred in committee, and which is not on record before the House. The rule laid down is as follows:

In the case of evidence taken by a committee, as soon as the evidence is before the House it may be debated at length. But members will not be permitted to discuss the conduct or language of members of the committee, except so far as it appears on the record.

Mr. MULOCK. I accept your ruling, Sir, on that point. But, of course, the Minister will repeat the language here which he used in committee. I desire to say, in conclusion, that I trust the House will be able to make the Public Accounts Committee effective to discharge the duties for which it was created.

WE ARE ANNUALLY CHARGED WITH INVESTIGATING

the expenditure of a vast sum of money, now exceeding \$36,000,000. That certainly is an amount, the expenditure of which demands an investigation at our hands. And if everything is correct, I can conceive of no more pleasurable duty which the Government could have than to charge this committee to most thoroughly probe everything to the bottom, armed at all points with every instrument necessary for the effective discharge of its duties. But if, on the other hand, the Government have a different view, and say the committee shall be ineffective, and without authority, then the country will understand that they have practically dissolved the Public Accounts Committee.

Motion defeated.

SPEECH BY
MR. MULOCK
IN THE
HOUSE OF COMMONS
ON
THE 26th OF JUNE, 1894.

Ocean Freight Rates on Cattle.

MR. MULOCK. Before you leave the Chair, Mr. Speaker, I would like to have the attention of the House for a few moments while I refer to a matter that has already received a good deal of attention at the hands of the House and the country—I refer to

THE CATTLE QUESTION.

Of course, I cannot refer, on this motion, to the Bill that I introduced on the 20th March last, dealing with the matter, and if by accident I should do so, I hope, Mr. Speaker, you will be considerate, inasmuch as the matter is one of considerable importance. The order of the House last Monday having terminated any chance of moving the Bill, and as I have observed from the discussion that the Government contemplate, not absolutely setting their faces against all legislation, but only against my proposed measure, and to make inquiries, I thought perhaps I might be permitted to refer to the question in the abstract, at all events, without reference to any proposed legislation. Now, if you look at the figures of the cattle trade, I think the House must come to the conclusion that

PUBLIC INTERESTS AND THE PUBLIC WELFARE WOULD SERIOUSLY SUFFER

if this trade were destroyed. The trade in live cattle with Great Britain within the last few years has assumed national importance, and its destruction must affect the national welfare. If we proposed to ignore any cause that destroyed the products of the mines, the

whole country would unanimously say that if any legislation could prevent such a disaster, such legislation should be forthcoming; and yet the products of the mines have not brought back to Canada within the last four years, within eight million dollars what has been brought back to Canada by the cattle trade. I dare say the statistics I have referred to, if extended prior to 1890, would show similar results. But I am only taking the figures for the years 1890, 1891, 1892, and 1893. During the last four years the gross amount of manufactures of Canada exported was \$25,944,284; while the gross value of the cattle exported from Canada to Great Britain during the same period, amounted to \$29,874,532; in other words, the live cattle exported brought back to Canada over \$3,950,000 more than was brought back to Canada from the sale of manufactured goods. Now, if you were told that the exports of manufactured goods from Canada was in danger, and in all probability would be absolutely terminated, that there would not be a dollar's worth of the manufactures of Canada sold abroad unless legislation intervened, public opinion would demand such legislation, and I have no doubt that a response would be found in the Parliament of Canada. When, therefore, I show that the magnitude of the cattle trade exceeds that of the mines, and also that of manufactured goods, not both together, but separately, and show that within four years it has been within five millions of the value of our fisheries, surely the trade itself is one of sufficient national importance to demand the best attention and consideration of those who represent it.

IT IS ONE OF SUCH FAR-REACHING CONSEQUENCE

that I am satisfied that it demands legislation, if it is in the slightest degree in danger of destruction. It is not as if the farmers could now abandon the production of cattle and turn their attention to some other branch of husbandry. The time was when their principal efforts were the production and sale of grain, but we know what has become of that trade. We know how countries able to produce grain more cheaply entered into keen competition, so that our farmers had to change their method and turn their attention to the production of something in respect to which they occupied a specially favorable position, and that was the production of live stock and the products of live stock, such as cheese, butter, etc.

IT IS IMPOSSIBLE TO SATISFACTORILY CARRY ON EVEN THE DAIRYING INDUSTRY.

unless there is a profitable market for live stock. If we treated dairying as the main object, then the sale of live stock becomes as it were a by-product to that industry. It will not do to say the trade in live stock is of no consequence, and that the farmers can still change their methods and give their attention solely to the products of live stock, because the time comes sooner or later, when all the cattle have to go to the shambles, either here or abroad. So, however you look at the matter

THE FARMERS ARE DRIVEN TO THE LAST DITCH.

Grain growing is a thing of the past, and the only remaining industry is the production of live stock, with a view of selling it or the products of live stock. The trade in horses is practically a thing of the past. We have lost the American market, and while it is said there is a valuable market in Great Britain for certain classes of horses, it does not happen that we have special horses to any great extent to meet such a demand as exists in England. So that the trade in live stock is one that directly and indirectly affects to a very large extent the Canadian farmer to-day, and whilst the matter has received much attention at the hands of the House this session,

IT HAS NOT RECEIVED MORE THAN IT WAS ENTITLED TO,

nor do I think quite all that attention to which it was entitled. The fact that the public feel interested in the measure has been verified, for almost since the session opened, we have had daily recurring the presentation of petitions coming from all parts of Canada, asking for legislation to deal with the evil referred to in the measure I submitted to the House. It, therefore, cannot be said that the measure is not one of national importance, and it cannot be that there is no evil existing, because we have evidence of it in the Journals of the House during the last three months. What are those evils? Hon. gentlemen are aware that there can be no live cattle sent to England now, except through a Canadian port. If it was proposed to send them through an American port, Canadian cattle would be subjected to quarantine regulations in the United States for a period of 90 days, the same regulations being imposed as regards Canadian cattle entering the United States. I find no fault with the American regulation, for it is a counterpart of our own, but I merely mention it to show that there is really only one avenue by which cattle from here to the Rocky Mountains can reach Europe, and that is through a Canadian port, which practically is Montreal. It is true there are other ports, but it is equally true that the vessels which ply between these ports and Great Britain are under the same control as those which at the present time have carried on the trade principally from the port of Montreal. It might be argued that the law of supply and demand would regulate this question, and I myself being in favor of free trade as nearly as we can obtain it, would, in the abstract, concur in the argument that the law of supply and demand would regulate this as all other matters.

BUT IF ARTIFICIAL MEANS ARE ADOPTED

to prevent the law of supply and demand applying, and if those artificial means are such as to make the application of that principle impossible, then the time arrives for Parliament to intervene, and, as nearly as possible, apply the principle of supply and demand, and overcome the selfishness and greed of those who endeavor to prevent the application of that principle, and therefore if we cannot ascertain at Montreal the

cost of carrying Canadian cattle to British ports on account of interference between supply and demand, we will be able to find the true value as a result of the application of the principle of supply and demand in adjacent ports,

AND TRANSFER THAT RATE AND MAKE IT APPLY

to the trade as conducted between our own and foreign ports. It has been charged by the Dominion Live Stock Association, and it has not been contradicted, that the Canadian vessel companies carrying on business from Montreal have, for several years, entered into a combination whereby they exact excessive rates for Canadian cattle. There are five lines of steamers engaged in the cattle trade—there may be an odd tramp or two besides—namely, Allan, Donaldson, Dominion, Beaver, and Hansa. Some of the lines have, during the period, received subsidies from the Dominion Government for carrying the Dominion mails. These subsidies, during the four years to which I allude, aggregate at least half a million dollars. Certainly, to that extent, to the extent of our patronage, the lines should show fair dealings towards the Canadian people, but I do not rest our contention on any such incidental or accidental circumstances as that. The Dominion Live Stock Association presented to the public in the early part of April a statement, a manifesto it has been called, which has been published throughout the country, and appeared in every journal of importance. It has, therefore, been brought before the attention of the vessel owners, and I think I am correct in saying that, up to the present time,

NO PERSONS INTERESTED IN THE CARRYING TRADE

have ventured to contradict any of the charges contained in the document. I have here a copy of the document. For two months it has remained uncontradicted, the only recognition of it, so far as we can see, being that for the time being the combination has collapsed, or has suspended operations, to resume them when opportunity arises. I remind the House of that possibility, because it may be argued that no legislation is now needed, inasmuch as the companies have improved their methods: but inasmuch as they have maintained their combination, not only during the four years in question, but many years anterior to that date, it is not safe to run the risk of leaving the cattle trade, even for a comparatively short period, at the mercy of the steamship companies, which, in this respect, have such a very bad record. Now, I think it is fair that we should take as correct, statements which are admitted by the steamship companies to be correct. What are the charges which the men engaged in the cattle trade make against the combination of vessel representatives? The Dominion Live Stock Association, speaking of the representatives of the steamship lines, assert:

They have their agents in England cabling over constantly, as to the prices of cattle. If it goes up, they put up the freight rates, including rates for cattle already on board.

Where does the freedom of contract come in here? Exporters have large numbers of cattle at the port of Montreal—practically the only Canadian port from which they can be exported these cattle are in the stock-yards or on the cars awaiting shipment; and the only possible way by which these animals can be marketed is to send them by the vessels, all of which are in the combination, and which follow the practice that is here charged against them. Where, I ask, is there any freedom of contract under circumstances like these? The theory as to fair and free contract is, that both parties should be free to submit or not to submit to its terms if they choose; but in this case there is no freedom whatever, because the cattle trade is entirely at the mercy of the carrying trade. If this statement is true, and it is not contradicted, we must accept it as correct, it shows what greed will accomplish. The Dominion Live Stock Association goes on to say:

Each line has its representative at Montreal, and what is easier than for these representatives to meet weekly, or oftener, and combine as to cattle rates. They have their agents in England, cabling them constantly as to the price of cattle. If it goes up, they put up the freight rates, including rates for cattle already on board. If the price falls, rates do not come down in proportion. If there is a large quantity of cattle at Montreal, the vessel men combine to exact excessive rates.

If the markets improve, and shippers want to ship in time to take advantage of such improvements, up go the rates. In fact, every state of the market, or exigency of the cattle trade, seems to be taken advantage of by the vessel men to levy excessive rates. Buyers cannot ascertain before buying what the rates will be.

Thus, with a well-grounded fear of being charged excessive rates, they have to buy in ignorance of what the vessel men will charge to carry the cattle to market.

The rate may be \$7 a head, or it may be \$17.50. This uncertainty alone makes cattle buying extremely hazardous, to the great prejudice, in some cases, of the farmer who sells, in others, of the buyer. Why should a legitimate industry be reduced to the level of gambling?

Buyers, who in buying have not reckoned on a sudden squeeze by the vessel men, have lost heavily, some even being ruined, or driven out of the trade. In any event, this very element of uncertainty renders it extremely difficult for the buyers to know what they may safely offer for cattle. As a rule, shippers do not know what the rates are to be, until the cattle have been purchased, brought to Montreal, and loaded, and the vessel is ready to sail.

In some cases the rate is fixed after the ship has sailed with the cattle on board. In securing space, the shippers at times have to agree to pay whatever are the going rates. This means whatever the agents of the vessel owners combine upon, when the shippers are in their power.

In these and other ways, the whole export cattle trade of Canada is now being paralyzed by one of the hugest combinations in Canada.

The first principle of a contract is that both parties to it are free to assent or not to assent to its terms. Here we have two interests, the cattle i

try and the vessel industry, the latter dictating terms to which the former must submit. It is powerless to resist, for no other route is open, and the principal steamship lines coming to Montreal, and engaged in cattle trade, being subsidized by the Government, and enjoying other advantages, are practically able to keep other vessels, except an occasional tramp steamer, off this route. Thus the conditions render this monopoly possible, and it exists, and is exercising its arbitrary powers most tyrannically.

With practically no competition in rates from Montreal, our cattle carried from Montreal at excessive rates are landed at Liverpool, on the same dock, by the side of American cattle carried at competitive rates from Boston, New York, &c.

Both bring the same price in the English market, but the American farmer was paid more for his cattle than was the Canadian farmer, because of the lower rates. Thus shipping cattle are worth more in the Buffalo than in the Toronto market.

It now remains for the Canadian people to determine whether this condition of affairs shall be allowed to continue. Shall steamship lines, some of them largely subsidized by the Canadian Government, and all enjoying the advantages of Canadian ports, harbors and waterways, upon which millions of Canadian money have been expended, be allowed of their own arbitrary motion to exact just such rates as they choose from the products of this Canadian industry? Or shall Parliament be called upon to intervene, as it has done in the case of railways and other powerful organizations, to protect the people from oppression?

In the unequal contest, the cattle dealers have struggled in vain against the powerful vessel combination, but are unable to break it.

They now bring the matter before the public.

It directly concerns the Canadian farmer. If he is to be paid the fair value of his cattle, it must be possible to market them at reasonable rates, in fact as cheaply as his American rival does.

But this question concerns more the Canadian farmer. The farmer in old Canada especially is being obliged to change his mode of farming by feeding his grain instead of selling it. If the market for his cattle is destroyed, what becomes of his industry?

Now, Sir, there are charges made by men engaged in the cattle trade, who know what they are talking about. One of these is the president of the Dominion Live Stock Association.

SIR CHARLES HIBBERT TUPPER. What is his name?

MR. MULOCK. T. O. Robson. The next who signs his name to these charges is Thos. Crawford, vice-president of the Association, and it is also signed by Henry Bracken, John Dunn and A. J. Thompson. All of these gentlemen are, or have been engaged at one time or another ... this trade. It would not, perhaps, be fair to charge that all the decline in the cattle trade is due to these practices of the vessel representatives; but from what those engaged in the trade have stated, I think it is fair to assume that the practices of the vessel representatives have had a very great deal to do with the decline, and I think I can very accurately remember a statement made by one of these gentlemen, when he was laying the grievances of the trade before the Government a short time ago. The First Minister will, perhaps, remember what I am about to refer to, and will correct me if I am wrong. One of these gentlemen said somewhat as follows:—"Sir John, I may tell

you, that I speak as a long life supporter of your party. I have been engaged in the cattle trade for many years, carrying on business largely in the city of Toronto, which was my headquarters for some years, but owing to the practices of the vessel owners,

I SAW MY COLLEAGUES IN THE TRADE RUINED,

and many of them who are not ruined, abandoning the trade for fear of losing what was left to them, and I determined before I lost all my money to cease to be a buyer and shipper to England of Canadian cattle, so long as we buyers are at the mercy of the carrying trade. He further said : I have been obliged to transfer my buying and selling operations across the line to Chicago, where I can get competitive rates, which I cannot get in Canada. My home is in Canada, my interest is in Canada, my people are living in Canada, but

I AM COMPELLED TO TRANSFER MY BUSINESS TO THE STATES,

because I refuse to imperil the rest of my fortune in the Canadian cattle trade until this state of affairs is put an end to. And he said further : Unless this is put an end to, I prophesy that in five years the export of live cattle to England from Canada will be a thing of the past. That, Mr. Speaker, is the language of a man who knew what he was speaking about, a man who was well versed in the whole question, and who has suffered in connection with the Canadian trade. Now, Sir, if that is reliable evidence, and there is no doubt that it is, we must not stand idle and fold our arms and wait until this valuable trade is destroyed.

FEELING THE IMPORTANCE OF THIS MATTER,

when I introduced the Bill, I was extremely solicitous that coming from a member of the Opposition, no circumstances should arise which would in the slightest degree prejudice a fair consideration of the measure, and I was anxious that it should bring from the House the best opinions of the members from all sides, so that the case might be impartially dealt with without reference to party, but wholly in the interests of the trade, which I deem to be in the interests of the country. For that reason, at the introduction of the Bill, and from every stage until now, and now as well, I have assumed the attitude of asking the House—the Government, of course, specially—to regard the measure and my attitude upon it as simply in the interests of the trade, and not to allow the slightest degree of partyism to intervene, which might, if introduced, prevent a proper solution of the question being arrived at. I hope that in dealing with the question in the future, it may be viewed from that non-party standpoint, and if so, I feel confident that in some way or other we will arrive at a proper solution. I know that it is customary when there is an effort to destroy a measure, to attract attention to some weak feature and to condemn a desirable movement by alluding to some immaterial incident connected with it. For example, it might

be possible, if there were any members in this House so disposed, as I hope there are not, to create a prejudice against the granting of relief by pointing out objections to the measure which I had the honor to introduce. But that is not the way, I submit, in which the matter ought to be dealt with.

IF MY BILL IS NOT SOUND, IF IT WILL NOT MEET THE CASE,

let somebody else propose a better method; that is the way to meet the case. I will lay down these propositions: that the facts will show that the trade in question is of national importance, and that its destruction will be productive of national evil. If we admit these two propositions,

ARE WE TO CONFESS THAT PARLIAMENT IS POWERLESS

to redress a wrong or prevent an evil of this gigantic character? Or are we to admit that parliament is able and willing to grant the necessary relief? It has been said that the Bill which I offer is a novel one. I admit that it is a novel one, but novel diseases require novel remedies; and I venture to say that you will not find another case on record of the whole carrying trade of one class of goods in a nation the size of Canada, practically under the control of one man. Therefore, if the proposition I offered was a novel one,

I PLEAD AS A DEFENCE THE NOVELTY OF THE DISEASE.

Now, Mr. Speaker, I will not take up the time of the House any longer. The House knows what has happened in the past. I need not point out the practical difficulties in the way of the successful carrying on of the cattle trade. It must be apparent to every hon. member that if the buyers who go out into the country to buy cattle for shipment to England, do not know what it is going to cost to land them in England, they are going to assume everything against the Canadian farmer in making the purchase. They have the argument in their mouths to enable them effectually to reduce the price they offer; and that it is not an unsound argument is shown by the fact that in the United States prices for cattle rule higher than in Canada, because the freights from United States to England, except in the immediate present, rule lower than those from Canada, while our farmers are obliged to land their cattle on the docks of Liverpool, Bristol and London in competition with American cattle. The result has been that American farmers have got more per hundred pounds for live cattle in England than Canadian farmers. I am not going to be drawn off the discussion of this general question by the mere circumstance that during a portion of the present season, the rates from American ports have been higher than the rates from Canadian ports. There may be temporary reasons for that. I think the long-continued wrong done to the Canadian cattle trade entirely overcomes any such argument as that.

WHILE I REJOICE TO KNOW

that temporarily better treatment is being furnished by the vessel owners at Montreal, yet, in view of the past, I have no great confidence in the permanent conversion of the vessel owners. I have not the slightest doubt that if public opinion is drawn away from this question, and the opportunity again arises, history will repeat itself, and the Canadian cattle trade will again be at the mercy of the vessel owners. For these reasons, while I regret in one sense that my bill is not likely to be discussed this session, owing to the Government requiring all the remaining days for their own work, I trust that some good may come out of it, if the Government will carry out the pledge given by the first Minister to investigate the question with the view to granting relief. I am sorry that the Government through the First Minister, have declared themselves hostile to the Bill; but I am going to minimize that attitude as far as I can in my own mind, by taking the expression of hostility as applying simply to the particular form in which I have proposed relief. I am going to hope that it is a hostility not to the principle that we must grant relief, but simply to the particular form in which I have proposed to grant it. If I am right in that hope, then perhaps a better measure than I proposed will be the outcome of my action. At all events, until I am assured to the contrary, until I learn that the Government are going to be as bad as the vessel owners, I will be charitable to them and will assume that they are going to act with the view of preventing a recurrence of the evil.

SPEECH BY
MR. MULOCK
IN THE
HOUSE OF COMMONS
ON
THE 29th OF JUNE, 1894,

*On the motion to grant \$70,000 for the year's expenses of
the Kingston Military College.*

MR. MULOCK. Before this motion is concurred in, I desire to offer a few observations. Some sessions ago I called the attention of the Government to the manner in which this institution was being used, in the hope that attention having been directed to it, the Government would have seen fit to reorganize the institution and limit its sphere to the object Parliament had in view when determining to establish the college. I regret to say, however, that so far as my research has gone, the only effect of attention having been called to the school has been to intensify the evil by increasing the expense and ignoring the object of Parliament in establishing the school.

WHAT WAS THE OBJECT OF PARLIAMENT?

It is set forth in the statute itself. In 1874 Parliament was asked to establish a military college, and without at this moment referring to the cost expected to be involved, let me call the attention of the House to the intention of Parliament on that occasion. I will read from the Act, chapter 36 of the Statutes of 1874, the Act establishing this military college. It reads as follows :

Whereas it is expedient to make further provision for the education of officers of the militia in military knowledge and matters connected with military instruction, Her Majesty enacts as follows :

Section 1.—An institution shall be established for the purpose of imparting a complete education in all branches of military tactics, fortification,

engineering, and general scientific knowledge on subjects connected with and necessary to a knowledge of the military profession, and for qualifying officers to command and for staff appointments, such institution to be known as the Military College, and to be located in some one of the garrison towns of Canada.

That statute declared the object Parliament had in view in establishing that school, and the purpose for which the school should be utilized, namely : imparting a military education, and no more. The institution was to be established in a garrison town, and on reference to the remarks made by the First Minister at that day, it appeared that the First Minister stated that the institution was to be established in a military town where it would be possible to utilize existing buildings and thus render it

UNNECESSARY TO ERECT INDEPENDENT BUILDINGS

for the purposes of a school ; and further, the Minister stated, that

THE EXPENSES WOULD NOT EXCEED \$8,000 A YEAR,

the staff of the school numbering two or three professors. That was the picture held up before the people in order to obtain their consent to the establishment of this school. How has the spirit of the Act been lived up to ? The object was to provide properly qualified persons to take charge of the permanent corps, not to educate persons in a general way for the ordinary affairs of life, and the inducement was held out to the youths of the country to attend this school upon the representation that when qualified, that is to say when they graduated, the graduates of the school would get the first chance to be appointed in the military corps of Canada. So we had on paper a school established by Parliament for the purpose of training men in military knowledge to be subsequently appointed to positions in the permanent corps of Canada, and thereby extend the usefulness of the school to the militia service of Canada. But the spirit of the Act and the expressed policy of Parliament in relation to it has been disregarded from time to time, until now

THE SCHOOL HAS COME TO BE MERELY AN EDUCATIONAL INSTITUTION,

imparting an education it is true of a military character, but also of a general character, and the main object of the statute seems to have been lost sight of. For example, I should like to call the attention of the Minister of Militia to the regulations and orders of the militia of Canada, and particularly to regulation 990, which is as follows :

The Royal Military College is established for the purpose of imparting a complete education in all branches of military tactics, fortification, engineering and general scientific knowledge on subjects connected with and necessary to a thorough knowledge of the military profession and for qualifying officers for commands and for staff appointments.

Then section 8 goes on to say :

In addition the course of instruction is such as to afford a thoroughly practical scientific and sound training in all departments which are essential to a high and general modern education.

By what authority is that statement placed in the Militia Regulations of Canada ? There is no Act of Parliament warranting it—it is in direct opposition to the Act of Parliament. It states that this school was to be established for the only purpose of imparting a military education. Here we have it stated :

" IN ADDITION THE COURSE OF INSTRUCTION IS SUCH

as to afford a thoroughly practical, scientific and sound training in all departments which are essential to a high and general modern education." Well, Sir, if a military training had such a result as a mere incident of the training, one could not find fault if a military training were so beneficial. But the regulation expressly intimates : that a modern education, a general education, an education qualifying persons for various walks in life other than military, is now one of the principal purposes of the school. In that way there has been an absolute disregard of the intentions of Parliament, and consequently

AN UNNECESSARY INCREASE OF THE PUBLIC EXPENDITURE.

I need not for one moment press upon this House the impropriety of the Dominion of Canada embarking in the cause of general education. It is contrary to the Imperial Act of Confederation itself, which never contemplated such education as is here held out to be one of the functions of this college. Education of this kind, education according to the perverted use being made of the college, is within the exclusive jurisdiction of the various provinces. The people of the different provinces have established their school system and the college system, and for the Dominion Parliament

TO DUPLICATE THAT SYSTEM, IS A PURE WASTE OF PUBLIC MONEY.

It is clear from these regulations which I have read, that the intention of this Parliament, to say nothing of the intention of our Confederation Act, are wholly set at naught. I called attention to this matter a couple of sessions ago, and I was in hopes that that would have been sufficient to have induced a change of policy on the part of the Government and a corresponding advantage to the public. On that occasion the Minister of Militia (Sir Adolphe Caron) had just vacated office, and the present Minister of Trade and Commerce (Mr. Bowell) had succeeded him. During the incumbency of the then Minister of Militia (Sir Adolphe Caron) the matter had also been slightly referred to, but it was pointedly brought to the attention of the House in the session of 1892. On that occasion many of the figures and arguments that I have

to trouble the committee with now were presented, and the Minister (Mr. Bowell), fresh in office, gave his pledge to Parliament. I quote his words from 'Hansard' :

**WHETHER SOME ATTEMPT SHOULD BE MADE TO REDUCE THE EXPENDITURE
IS A MATTER WHICH SHALL RECEIVE THE ATTENTION
OF THE GOVERNMENT.**

At that time the expenditure for the year was \$63,949.31, and the Minister (Mr. Bowell) declared that the Government would give attention to the matter, with a view of reducing the expense. Now, what has been the result? A year has since elapsed, and instead of there being a reduction of expense, as the Minister pledged himself to, the expense for the fiscal year just past is \$70,584.73, or an increase of nearly \$7,000. One might very properly look into the internal management of this institution, in order to see the occasion for this expense. According to the return laid on the Table this session.

THERE ARE FIFTY-EIGHT STUDENTS AT THAT COLLEGE,

and to impart to this number of students a military training, and also as this prospectus says : A general education of military character, we find that the staff engaged to train these fifty-eight men consists of a commandant, six professors engaged in teaching the ordinary civil branches I presume, a number of military professors and instructors—I do not know how many—and various other officers, numbering in all fifteen. Then we have three staff-sergeants, three sergeant-majors, nine laborers, storemen, eleven servants, or a total number of thirty-six, according to the Auditor-General's Report, engaged in looking after an institution which teaches fifty-eight students. Now, what has been the product of this institution since it was established? The Act of Parliament passed in 1874, and the school was established in 1876. The course of instruction contemplates men entering and attending four years, after which they are graduated, the result of the school being tested, and properly so, by the attainments of its graduates. Since the establishment of the school there have been 195 graduates. The expenditure, instead of having been limited to the modest sum of \$8,000 a year for the staff, and a few thousand more for incidental expenses, has grown to be some \$70,000 a year, and from a return laid upon the Table of the House during the present session, it appears that the

PUBLIC EXCHEQUER HAS BEEN TAXED TO THE EXTENT OF \$1,140,763.76

for pay and maintenance alone. In addition to this cost, there is an item, for repairs, of \$69,058.72. There was also expended on the buildings—I suppose in the erection of buildings—\$110,321.88. Now, for the purposes of the calculation I have made, I do not charge the whole of that capital account to the cost up to date, because these buildings are there yet, and will be useful for the carrying on of the school ; but I think it is fair, in order to make the calculation that I

propose to submit to the House, that I should charge as part of the annual maintenance, a reasonable sum by way of interest upon the cost of the buildings. That rate of interest, which I venture to submit is a reasonable one, I have taken at 4 per cent. If, therefore, we add to the two items I have given for pay and maintenance, and for repairs, interest at 4 per cent. per annum upon the capital invested in buildings — not for the whole period, but for a portion of the repairs, say for 14 years instead of 18 years—we have to add to the items I have mentioned the sum of \$61,779.76. In other words, for whatever good the country has received from this school up to date,

**IT HAS COST US, IN MONEY PAID OUT, THE TOTAL SUM OF
\$1,271,602.24.**

In connection with this, I may say that the students have paid in fees since the establishment of the school, in all, \$279,917.80; and this, I propose to take account of in order to show the exact cost of the school to the country in comparison with the results realized. Now, testing the work done by the total number of graduates, 195, we find that their education has cost the country and the graduates, together,

THE SUM OF \$6,521 EACH.

If we deduct from this amount the contribution of the graduates, which I make to be \$1,436 per capita, we have a net cost to the country for every graduate of that college, from its establishment to this moment, of \$5,085. Now, what has the country got in return for this? I am not going to dwell upon the lavish and luxurious style of education which prevails in the institution. It does seem an extraordinary thing for Canada that an education at the Royal Military College should have cost the students and the country combined no less a sum than \$6,521 for a period of four years, or an average of over \$1,500 a year, at least four times what it ought to cost, and what it does cost in the ordinary educational institutions of the country.

BUT WHETHER IT IS A RICH MAN'S SCHOOL OR A POOR MAN'S SCHOOL,

I ask what has the country got in return for the 195 graduates who have been the product of this institution at this expense? The return laid upon the Table of the House has given some information as to what has become of these 195 graduates; but there has been an attempt made in this return to minimize the failure of the college by including here and there cadets, and showing what has become of them. I submit that the real test is to take the case of the graduates, and ascertain what they have been doing since they left the college. I cannot, at this moment, lay my hands upon the exact part of the return bearing on that point; but, speaking from memory, I think it shows that some seventy-seven have obtained appointments in the Imperial service, and that of the balance, nine graduates and two cadets have been appointed

to positions in the permanent corps, and two graduates to the Royal Military College staff. In other words, of all the graduates and undergraduates of the Military College from its commencement to this moment,

BUT THIRTEEN IN ALL OCCUPY POSITIONS IN CONNECTION

with the permanent corps. It is true, that of the graduates, some thirty in all have been appointed to positions in the departments ; and on this point I would dwell for one moment. I question whether the country will sanction a system of education such as this, if its end and aim is to educate the youth of the country in order to qualify them to fill ordinary civil positions in the public service. I doubt if there is a single branch of the public service that requires the existence of the Royal Military College in order to train men properly to discharge the work of any of these departments. It is quite true, I have no doubt—it ought to be the case—that any graduate of the college who has received the education, military and civil, which they represent they are now giving, would make a most useful public servant, and be especially valuable in connection with our Public Works Department, or our Department of Railways and Canals.

BUT THE QUESTION IS, WHETHER IT IS NECESSARY

to have such a college to promote that sort of education, inasmuch as there are in the country other institutions specially engaged in doing that work, and doing it well. So that I do not think that it can be taken as an argument for the present management of the college that thirty of its graduates have been landed into comfortable positions for life in the civil service. I think it is going too far to pay \$5,000 of public money to qualify a man to enter the civil service, there to be taken care of for years, and pensioned at the end of a few years, until he shuffles off this mortal coil. So I decline to test the utility of the college by any results which have been derived in connection with civil appointments. But, for the purpose of argument, I will give the House the full benefit of all such appointments, and see what the practical result of this mode of utilizing the graduates of the college has been. The Government return shows that of all the graduates and undergraduates from the commencement to this moment, but forty-three are engaged in the public service, military and civil. Eleven graduates are in the permanent corps ; two cadets are in the permanent corps, and thirty graduates are scattered through the departments at Ottawa and elsewhere—forty-three in all. It has cost to educate each of these forty-one graduates and two cadets, to the country and themselves, \$29,577. If you deduct from that the contribution by the students themselves,

IT LEAVES A BALANCE OF \$23,063

as the net cost for the education of each one of those men who are in the public service to-day. If we throw out of the calculation the two

cadets—because I do not think that we can fairly test the utility of a college by pointing out what has become of the men who, for one reason or another, have refused to receive the education necessary to give them a degree—if we test it by reference to the forty-one graduates in the public service, we find that of these forty-one graduates, nine have entered the permanent corps and two are in the military college, the remaining thirty having lucrative positions in the civil service.

IT HAS COST IN ALL

to educate each of these forty-one the sum of \$31,014. Deduct the sum of \$6,827, which is the contribution of each cadet towards his education, and you have, as the net cost to the country for the education of each one of these forty-one persons, no less a sum than \$24,187. I would like to know why we should, in ascertaining the good results flowing from this institution, credit it with the educating of thirty men for civil appointment here and elsewhere, inasmuch as that same education could have been perfectly well obtained in our various other educational institutions throughout the country,

WITHOUT THE EXTRA COST OF ONE DOLLAR.

Does any one say that the thirty graduates of this college who are in the civil service, could not have been as well fitted for that service if they had studied at their own homes or attended other colleges in their own provinces, without any cost whatever to the country except that incurred in maintaining local institutions? Therefore, it is reasonable—especially having regard to the fact that the only object of the establishment of this institution was to prepare men for military appointments or to prepare men to educate our militia—to conclude that

THE ONLY FAIR TEST IS TO ASCERTAIN

what the country is obtaining in return for the expenditure in the direction Parliament moved, when it sanctioned the expenditure on this institution. Parliament agreed that the object of this scheme was to furnish men with a scientific military education for the benefit of the Canadian militia. And the question now is, how far has that object been attained by this vast expenditure of public money to which I have referred. I want to give full credit to the school, and assuming that the thirteen military men, eleven graduates and two cadets, now engaged in connection with the militia of Canada, are highly educated, possess all the military education and skill that the school could most successfully impart—giving credit to the institution for having educated these thirteen people to the highest degree, I find that

THE TOTAL COST OF THE EDUCATION OF THESE MEN AMOUNTS PER
HEAD TO \$87,815,

from which we must deduct the contribution of these students, as I have done in the other cases, amounting to \$21,532. Or, in other

words, these thirteen men, now in the public service, have cost the Dominion \$76,283 each for the education given them. But I must eliminate also from the list two of these thirteen, who never acquired the education that the Act contemplated, who did attend the college, but left, either because they failed to pass the examinations, or because, for other reasons, did not choose to pursue their studies. Therefore, the sum total of the whole transaction is this, that since the college was established for the purpose of imparting military education in connection with the Canadian militia, there have been appointed, according to the spirit of the Act, eleven men and no more. So that the actual result of the college has been that **Eleven graduates have been appointed to military positions in Canada at a cost per capita of \$116,600**, and deducting from that the amount realized by the college in fees, namely, the sum of \$25,427, we have this net result,

**THAT IT HAS COST \$90,153 FOR EACH ONE OF THE
ELEVEN GRADUATES**

now filling any position, as contemplated by the Act, in connection with the militia of Canada. And that is not due to the fact that there have not been vacancies in the Militia Department. But during the period I have referred to, the department has systematically ignored the graduates, and made the appointments solely for political reasons. The Government have utilized largely the college in order to furnish them with extra political patronage, ignoring the interests of the militia and the object of Parliament. I will read a paragraph from a letter sent me, and the hon. Minister will know how far it is correct. I know nothing of the facts myself, but speaking of the policy of the Government, the writer says:

The practice is to appoint gentlemen with political influence, without any qualifications, and then allow them to take a course of only three months in their own schools and a further course of three months attending lectures at the Royal Military College at Kingston. If that is considered sufficient education for the officers of the permanent corps, it is difficult to see the utility of maintaining the Royal Military College and having cadets spending years acquiring that knowledge which the Government does not utilize after they have graduated. I need not point out to you that the amount of military knowledge obtained in this three months' course at Kingston is necessarily very elementary. The previous course at their own schools consists but of drill, etc., and of course none of the higher branches of the profession. The regulations restricting commissions in the permanent corps, is apparently held out as an inducement to young men to go to the college, under the belief that the Government will give them the preference for commissions in the permanent corps, and it is unfair that they should be ignored. At the present moment—

I call the attention of the Minister of Militia to the statement, made in March last, the date of the letter, I do not know whether it is correct or not:

At the present moment there are two officers of the permanent cavalry at Winnipeg, one appointed in 1882 and the other in 1885, taking his elementary course at Kingston. These officers are away from their duty as instructors at the cavalry school at Winnipeg, and should be officers competent to give that instruction. Again, the graduates of the college do not attach themselves to military corps at the camps of instruction, etc., because they would have over them permanent corps officers who know very little of their profession.

There was recently a vacancy in the Militia Department, of assistant to the militia architect, and it was naturally supposed that some graduate possessing scientific knowledge of military engineering would have been appointed, but, in place of this, a young man was appointed who does not possess any military education or training. Now, Sir, I happened to read a reference to the very policy of the Government in the report of the college laid upon the Table last session. But in connection with what I stated a moment ago as to the object of the Act having been disregarded, and a general education being now apparently one of the main objects of the College, I will again emphasize that statement by quoting from the report of the commandant of the school to the Government, which is found in the report of the Department of Militia for the year 1891-92. Speaking of education, it says :

But fortunately the status of Canada, as a part of the Empire, has made it fitting and wise to modify the system of instruction followed at the Royal Military College, so that while the military demands of the country upon it may be duly supplied, its cadets are trained to take their place amongst their fellow-countrymen, as highly and technically trained gentlemen, in most practical professions, and in a large measure prepared to enter the learned professions.

It certainly shows the progress made in disregarding the intention of Parliament when the school itself, in a public report, can openly announce that it is totally disregarding the main object which justified its establishment, that it is practically a training school for the learned professions. The report goes on to say :

We sincerely hope that the time is not far distant when the Government may feel themselves justified in giving full effect to their Order in Council, of a date certainly prior to 1882, in which it is declared that so soon as there are a sufficient number of eligible graduates, appointment to permanent militia corps will be made solely from this list.

In 1878 that pledge was given, and upon that pledge the 195 men that I have referred to, entered that college and pursued an undergraduate career. It goes to say :

And after sufficient length of service and rank has been obtained by graduates, permanent militia officers will be filled therefrom.

The pledge was given to the country in 1878, a pledge which has found its place in the public records, and yet it has never been lived up to. The report goes on to say :

If untrained gentlemen are better qualified than the technically trained military graduates of this college, to officer the Canadian permanent corps,

then indeed, it must be admitted that—for military purposes—the school is at present superfluous.

I need not comment upon that statement, it is made by the commandant of the school. Now, what do I find as showing the effect of this departure from and disregard of the object of the Act? In the report of the college laid upon the Table this session, the commandant, reporting to the Minister of Militia in reference to the school, says :

Recently as the college has been established, and limited as is the accommodation it affords—turning out from ten to fifteen graduates a year—its students are to be found in the church, practising law, medicine, agriculture and civil engineering, engaged in commerce, railway management, and in private and public companies, employed in postal departments, in ordnance factories, in the Dominion Customs Department, the Geological Department, the Marine and Fisheries Department, and serving in the North-west Mounted Police force, in British Colonial employment, in the Canadian permanent militia and in Her Majesty's regular forces.

And no doubt they will be found in the various walks of life so long as the system is maintained of conducting this school as an ordinary high school or university, instead of confining its operations to the purposes for which it was established ; and so long as that takes place, so long will you have to maintain an enormous staff such as this, until the people in indignation decide to abolish the school altogether. I can understand how the hon. gentleman can, in a spirit of boasting, point to the glory reaped by Canada from having a military school where young Canadians can be trained and graduated into the Imperial army. But, Sir, don't you think that if that was the only object of the maintenance of the school, it would have been better to have allowed these seventy-seven men to take their military training in some of the old-established schools of England? Surely we are not, in this age, going to maintain a military college in Canada, which, in eighteen years, sends seventy-seven officers to the Imperial army and eleven to the Canadian forces. I submit, therefore, that the Government is censurable in the highest degree for their perversion of the object of this school, and unless they recede at an early moment from this false position, and comply with the spirit of the Act, by reducing the staff, and by altering the course of study so as to limit it strictly to the kind of study intended by the Act, the course of public opinion, I think, will demand a more radical treatment of the whole question. Was it part of the intent of Parliament at the time that this should be a school receiving young men with the merest rudiments of education, that they should be taken in hand, as in high schools and in colleges, and taught English history, French and German, and the ordinary subjects to be found in the curriculum of every one of our provincial teaching institutes! Sir, that was not the object of the establishment of this school ; and I impress upon the Minister now that he ought at the earliest possible moment to thin out the staff and bring back the expenditure strictly to what is necessary in order to maintain that school, or else assume the responsibility of an indignant community demanding its early abolition.